How Washington and Moscow Together Helped Kill Off The Daily Worker, See Page 4

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Where Will We Put God When We Control Outer Space?

While the ordinary American has been thinking about the relatively simple problem of containing the Russians, our intrepid political leaders, ranging far ahead, set more ambitious goals as Congress opened. The Republicans, under Eisenhower, promised at last to subdue the Pentagon, though the President was discreetly vague in his State of the Union message on just how he proposed to do it. The Democrats, under Lyndon Johnson, issuing a State of the Cosmos message, proposed that America conquer and control outer space. Not all the details of this Bold New Program have yet been filled in of course. One that has bothered us at night since Lyndon Johnson spoke is—Where do we put God? What do we do when the SAC has reached the Pearly Gates? Do we set up a reservation, as we did for the Cherokees and the Sioux on our sweep westward? Or will He become—as Gospel says the Son began—a Displaced Person? When every nook of the Heavens is patrolled by our astronauts, their very latest thermonuclear boom-boom cocked and ready, so that no unidentified flying object dare lurk anywhere, where then will the Heavenly Father dwell and the Heavenly Choir sing?

A Chance That May Not Come Again

While Johnson wants a race for the control of outer space, the President in his letter to Premier Bulganin called for an agreement that outer space should be used only for peaceful purposes. This could be the beginning of a sharp difference in policy between the two parties. The Intercontinental Ballistic Missile uses outer space, and the Russians are ahead in the ICBM field but they cannot have a monopoly long. The President's proposal offers a chance to prevent what will otherwise become the most terrible and the most costly arms race in man's history. Beyond the missile lies the manned rocket and beyond that the armed space station. Technology seems to have robbed our generation of sanity. When a sober, pedestrian gentleman from Texas like Lyndon Johnson begins to talk of the need to be "the masters of infinity," as he did in his address to the Democratic caucus, we are listening to the poetry of paranoia. Consider that no nation has ever succeeded in dominating the open seas, yet Johnson seriously proposes that we try to control outer space. It should give the Russians a foretaste of what to expect if they do not set out to make the most of the President's offer to prevent an outer space arms race. This is the most statesmanlike portion of the President's letter.

A Victory for Stassen

The letter itself must be seen as a defeat for Secretary Dulles. It exposes as hollow the line the State Department has been putting out that Stassen is through and that the Bulganin letters would be given a brush-off. On January 10, just two days before the Eisenhower letter to Bulganin was made public, Secretary Dulles said to a reporter, "You ask whether, if they [i.e. the arms talks] are resumed, our proposals would be substantially different from what they are now. I would say the answer to that question is probably 'no'." The "probably" indicates that Mr. Dulles was not quite certain and the text of the letter shows that he was wrong, just as he was wrong in his answer to another and related question at the same conference. When he was asked whether we had any plans to "take the initiative" in arms negotiations, the Secretary replied "I believe that the program which we presented in London represented very much of an initiative."

Where Dulles Was Wrong

But the letter, after a long and stale rehash of the German and East European questions obviously from the pen of Mr. Dulles himself, did take the initiative on controlling an outer space arms race. It made a new offer in the field of nuclear disarmament, offering to match any Russian withdrawal of fissionable material from weapon stockpiles with a quantitatively larger contribution from our own (presumably much larger) stockpile. It also proposed the establishment of technical groups to study the problem of inspection and control which "could, if you wish, be undertaken without commitment as to ultimate acceptance, or as to the interdependence, of the propositions involved." This is a concession to the Russian desire to separate the question of a cessation of testing from the more complex problem of an end to the manufacture of nuclear arms. The Eisenhower letter also opens the door a little on an ultimate agreement to end testing altogether, though couched in terms too vague to determine whether it really differs from the London proposals. But in one respect the letter does differ strikingly from the final proposal put forward by the Western powers at London. It no longer insists on certain unnamed political solutions, obviously German unification and perhaps also a new formula on Formosa, as the conditions for an end to the arms race. The President's letter was an unexpected victory for those who want to see talks and a relaxation of tension.

A Conservative Budget

Considering the realities of American politics at this moment and the scare campaigns in the Gaither and Rockefeller reports, the Eisenhower budget must be regarded as a rear guard action on behalf of fiscal and military conservatism. In these forces at the moment lie our only hope of peace. Unfortunately the bulk of the labor movement is for a step-up in the arms race and many liberals are so blinded

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Rockefeller Crowd Behind Acheson's Attack on Kennan's Plea for Neutral Reich

Ike Fighting A Rearguard Action for Military and Fiscal Conservatism

(*Continued from Page One*)

by distaste for Eisenhower and his entourage that they are prepared to join hands with the aviation and electronics lobby, and with the Standard Oil-Chase National Bank crowd, in panicky demands for higher military expenditures and a "tougher" diplomatic policy. In this perspective, the Eisenhower budget holds arms increases to a moderate level, makes only minor cuts in social services and still fights against putting the country on a full war economy. The coming weeks will see a full-scale revolt from the Pentagon against this budget, with strong support from the Democrats and those sections of big business and high finance which want no relaxation of tension.

Behind Acheson's Attack on Kennan

The Rockefeller's Chase National Bank showed its hand in Dean Acheson's sharp statement disavowing Democratic support for George Kennan's proposals to neutralize Germany in return for its unification on the basis of free elections. This statement was arranged by the American Council on Germany, Inc., of which George N. Shuster is president and Mrs. John J. McCloy, vice-chairman. Mr. McCloy, formerly American High Commissioner for Germany, is now head of Chase National which has always had extensive interests in Germany, collaborating with the Hitler regime financially before the war. The American Council is a right wing sounding board for the views favored by Chase National. It followed up the Acheson statement by soliciting Democratic Senators and asking them to issue statements supporting Acheson. In this it failed. There was a good deal of resentment among liberal Democrats because Acheson purported to speak on behalf of the party though they were not consulted in advance. But while Senator Humphrey gave the *New York Post* (Jan. 13) a statement praising Kennan for performing a useful public service in opening a public debate about the future of Germany, neither he nor any other liberal Democrat would venture to endorse Kennan's views.

Divided Germany Preferred

The Rockefeller Standard Oil-Chase National interests prefer a divided Germany for some time to come. A reunited Germany would almost certainly have a Social Democratic majority, and this would spell the end of the program they are so successfully implementing for the revival of the old German cartel system with which Standard Oil worked before the war. Those American interests which regard West Germany as their base and junior partner for Eurasia are richly content with the status quo. Even now reunification is possible. The Poles are fearful of the Soviet offer to back a "confederation" of East and West Germany. They fear prosperous West Germany would in a few years time easily dominate and absorb East Germany, where the regime is hated and has no firm popular base. But a reunited Germany would be Socialist and Protestant rather than Conservative and Catholic as is West Germany. Dulles and Sullivan & Cromwell were the employes of these interests before the war and serve them now. But Acheson's hostility to negotiations ("It is my conviction," he writes in his new book, Power and Diplomacy, "that the only agreements which are possible now would be disadvantageous to us.") makes him the ally and harness partner of John Foster Dulles whom he otherwise despises. Acheson and the Democrats represent the other string to the Rockefeller bow. Will the Democrats be persuaded to maintain stale cold war attitudes as and if Ike moves to negotiate?

Corliss Lamont's Passport Suit

According to a press release by the American Friends Service Commitee on Dec. 9, ten Friends and one Congregationalist objected on religious grounds to the new State Department passport form requiring a non-Communist oath of applicants. At least five refused to sign the oath but all were nevertheless granted passports. This seemed to establish in passports something analogous to the conscientious objector principle applied in the draft laws.

Corliss Lamont's suit, which lost in District Court here last week but will be appealed, instances this as evidence of discriminatory regulations and seeks judicial recognition for secular conscientious objection. Lamont refused to take the oath on the ground that it infringed the freedom of political thought guaranteed by the Constitution. Are such fundamental political scruples less worthy of respect than religious ones in a secular society constantly preening itself on its devotion to freedom? This is a question the suit may answer.

Linus Pauling Petition Signed by 36 Nobel Prize Winners; 44 Countries Represented

Text of the Appeal by 9,235 Scientists For An End to Nuclear Tests

"Each nuclear bomb spreads an added burden of radioactive elements over every part of the world. Each added amount of radiation causes damage to the health of human beings all over the world and causes damage to the pool of human gene plasms such as to lead to an increase in the number of seriously defective children that will be born in future generations.

"So long as these weapons are in the hands of only three powers an agreement for their control is feasible. If testing continues, and the possession of these weapons spreads to additional governments, the danger of outbreak of a cataclysmic nuclear war through the reckless action of some irresponsible national leader will be greatly increased.

"An international agreement to stop the testing of nuclear bombs now could serve as a first step toward a more general disarmament and the ultimate effective abolition of nuclear weapons, averting the possibility of a nuclear war that would be a catastrophe to all humanity.

"We have in common with our fellow men a deep concern for the welfare of all human beings. As scientists we have knowledge of the dangers involved and therefore a special responsibility to make those dangers known. We deem it imperative that immediate action be taken to effect an international agreement to stop the testing of all nuclear weapons."

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Circuit Court Holds "Jencks Rule" Applies to Administrative Proceedings, Too

A New Check on the FBI's Stable of Secret Political Informers

For six years the Government has been trying to make the Communist party register as subversive with the Subversive Activities Control Board under the Internal Security Act of 1950. One of these days the Supreme Court will probably throw the Act out altogether as unconstitutional under the First amendment. In the meantime, the latest decision in this protracted litigation has produced a useful by-product.

The U. S. Court of Appeals for the District of Columbia has sent the case back to the SACB with a decision which for the first time holds that the "Jencks rule" applies to administrative proceedings. This will give defendants before the SACB and in deportation and denaturalization cases new protection against false witness by the kind of fanatics, psychopaths and perjurers any government accumulates when it sets out to subject free political association to secret surveillance, as ours has been doing.

Not Enough Untainted Evidence

The "Jencks rule" takes its name from Clinton E. Jencks, an International Mine, Mill & Smelter Workers Union official, whose conviction for falsely swearing a non-Communist oath was reversed last year by the Supreme Court. The Court held that the defense had a right to examine for itself the prior reports to the FBI of any witness produced by the government, and to use those reports for purposes of impeachment. It was in the Jencks case that Harvey Matusow recanted. The Justice Department could have retried the case but instead had it dismissed last December 31 on the ground that "on the available evidence, the government cannot successfully retry this defendant" i.e. it did not have sufficient untainted evidence for a conviction.

Neither the Supreme Court decision, however, nor the bill Congress passed last year attempting slightly to narrow that ruling, answered the question of whether it also applied in administrative proceedings. The Subversive Activities Control Board itself, in the current case against the American Committee for the Protection of the Foreign Born, has ruled that the Jencks rule cannot be used before the Board.

A John Adams Era Judge

The Court of Appeals has now ruled in the Communist Party case that the right to see the original reports of any witness produced by the government "is one of the fundamentals of fair play required in an administrative proceeding." The ruling is given added weight in that it comes from Judge E. Barrett Prettyman, the author of some of the most reactionary decisions of the cold war period, a judge of high integrity as a judicial craftsman but with a point of view so anachronistic he often sounds like a John Adams era Federalist.

The ruling is bad news for the FBI's stable of political informers. Under the impact of an unfavorable Supreme Court decision in this same Communist party case, the SACB has already expunged the testimony of three government informers as tainted by perjury. The case now goes back for a second round in which the Board will have to re-examine the testimony of a fourth, Mrs. Mary Stalcup Markward and may also have to reopen the testimony of a fifth witness.

Should the government appeal this defeat to the Supreme Court, the defense by cross petition would probably challenge the failure of the Appeals court to deal as drastically with two other witnesses, Louis Budenz, and a man named Scarletto, who was an FBI undercover agent in the party.

Provocateur As Well As Informer

The latter testified before the SACB that he was instructed to enlist in the Army by the Communists so he could commit sabotage in Korea. This damaging testimony was accepted at face value by the Board until it turned out that in the California Smith Act cases Scarletto had given a different version of this affair. At that time he testified that during a Communist party meeting *he* got up and suggested that he join the army so he could commit sabotage in Korea. In other words, he was trying to cause trouble as an agent provocateur. The Board thereupon declared that it could no longer "credit" the original incident but rejected a defense motion to expunge Scarletto's testimony altogether on the ground that he was obviously untrustworthy.

People of this kind are going to find themselves in trouble under this new ruling; some day the government may even be forced to prosecute one of its own informers for perjury.

As "Variety" Would Say, Movie Industry Goes Mum on Red Menace in Supreme Court

The most striking aspect of the argument in the Hollywood 23 case before the Supreme Court last week was the total absence of the Red menace from the movie industry's defense. A few years ago the industry would have waved the flag and claimed to be fulfilling a public duty in barring from employment persons deemed to be subversive because they had invoked the Fifth amendment. Now the industry fell back on two finely split legalistic hairs, asserting that even if the 23 blacklisted actors, writers and stage-hands were treated unjustly (1) they had failed to raise the constitutional issues in time and (2) the State courts in dismissing the suits on demurrer had acted on "independent State grounds" not subject to review in the Federal courts.

Inferences drawn from judicial reaction during oral argument are unreliable. But it looked as if Warren, Black, Douglas and Brennan were friendly and that Harlan might possibly join them. Frankfurter was irascible and seemed to think the suits should have been brought in the Federal courts under the anti-trust or civil rights statutes. Robert W. Kenny and Ben Margolis, counsel for the blacklisted, argued that movie executives and House Un-American Activities Committee members conspired to deprive their clients of the right to pursue their callings. The California courts dismissed the suits without trial. Should the Supreme Court order trial on the merits, the movie companies might settle out of court and drop the blacklist, an obsolete production headache.

The formal pleadings were not without humor. The blacklisted artists relied on State right-to-work decisions and notoriously reactionary pre-New Deal Supreme Court labor injunction rulings while House Committee members complained that they were the victims of "guilt by association."

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We Dishonor Jefferson While They Move Back Toward Thought Control

Washington and Moscow Share the Blame for *The Daily Worker's* End

We regret the passage of the *Daily Worker.* It leaves the United States the only one of the great world democracies without a Communist daily. The ultimate cause of its disappearance is a witch hunt which frightened away readers as it frightened people out of the party. Basically, the land of Jefferson slipped behind Britain, France and Italy. Our government took steps to make it dangerous to read a Communist paper. Aliens found themselves deported; foreign born citizens, denaturalized; citizens, blacklisted, on the basis of allegations which often included the reading of the *Daily Worker.* In this respect all of us who believe in free traditions must blush for its passing. Freedom of the press proved less real here than in Western Europe.

A Hint Would Have Been Enough

The more immediate cause of the *Worker's* passing is to be found in Moscow. It would have taken no more than the barest hint from the Kremlin to make it clear to the Foster Old Guard that Moscow welcomed the appearance in the Communist world of a paper which was independent. Instead Moscow signalled by attack in its own press that it did not like the independent line which the *Worker* under John Gates had been pursuing since the Twentieth Congress. The Gates faction believes that the Old Guard thereupon shut down the *Worker* as its own way of purging the paper and that in the not too far distant future the *Daily* will be revived, but under subservient editorship.

In so acting the Krushchev regime in our opinion missed a chance to make a contribution to peace. A *Daily Worker* independent enough to criticize Moscow itself, as the *Daily* did in the Hungarian uprising, would have been proof that the Communists are not just stooges of Moscow, that they can think and speak for themselves. It would have been a sign that de-Stalinization was continuing and thus an aid in the fight for peaceful co-existence. *For it must be admitted that the existence of Communist parties which act as mere appendages of Moscow makes the fight for peaceful co-existence more difficult.*

The truth is that the resignation of Gates and the closing of the *Daily* are of the same pattern to be observed elsewhere, in China, in Poland and in Russia itself. Krushchev, having weathered the anti-Stalinist storm and curtailed the worst abuses of the secret police system, is now drawing the reins on intellectuals, writers, artists and newspapermen. Mao and Gomulka are following suit. As for Tito, he has never shown the slightest understanding of what a free press means.

From the Gates Valedictory

"The best thing to do about the Communist Party is to let it alone. No one could do a better job of destroying the Communist party than the Communist party itself. It is the most successful self-liquidating enterprise in our country. The American Communist Party is dead for all practical purposes, although it can continue to live on, the way a mummy does. . . .

"I predict J. Edgar Hoover and the FBI will state that my resignation and the end of The Daily Worker only confirms the fact that the Communist party is becoming stronger than ever. It's time the anti-Communist racket in this country is ended and we expand the democratic freedoms and liberties for which this country is justly noted."

—John Gates, resigning as editor of the Daily Worker and from the Communist party, Jan. 10, from a statement not carried in the Worker's final issue under new editorship, Jan. 13.

Not All Sectarian Folly

And now in justice to the *Daily Worker,* it must also be added that in its 34 years of existence—amid much that was foolish, sectarian and cheaply slanderous (like George Morris's final piece coupling Howard Fast with Howard Rushmore)—it served many good purposes and good causes. It published much that did not see the light elsewhere. It fought for the Negro and the underprivileged; it played an honorable role in the 30's, when it contributed to the mass organization of labor and the reforms of the New Deal period. Its underpaid and overworked staff carried on under heartbreaking difficulties. In their paper's passing, they deserve a newspaperman's salute for their devotion.

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